IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

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WRIT PETITION NO : 13548 of 2005

Between:

1 C. Rajeshwar, S/o. Hanumaiah,
R/o. Plot No. 137, Hill Colony, Vanasthalipuram, Hyderabad.
2 G. Susheela, W/o. G.Sridhar,
R/o. Flat No. 201, House No. 7-1-35/101, Sridevi Apartments, Ameerpet, Hyderabad.
3 Vadlamani Balamani, W/o. Vadlamani Bhaskar,
R/o. Plot No.30, Hasthinapur Central, Sagar Road, Hyderabad.
4 J. Sridhar Reddy, S/o. J. Ram Reddy,
Upperguda, RR District.
5 Y. malla Reddy, S/o. Sathi Reddy,
Upperguda, R.R.District.
6 Brungi Satyanarayana, S/o. Brungi Shrihari,
R/o. Kurumidda Village, Yacharam Mandal, RR District.
7 Buram Saritha, D/o. Buram Lakshmaiah,
R/o.8-6-112/6, Christain Colony, Sagar Road, R.R.District.
8 Buram Laxmaiah, S/o. Buram Kashaiah,
R/o. Christian Colony, Sagar Road, Hasthinapuram, RR District.
9 Challuri Sravanthi, D/o. K. Ram Reddy,
R/o. H.No. 16-10-27/C, Municipal Colony, Malakpet, Hyderabad.
10 Sudini Jaipal Reddy, S/o. Jangareddy,
R/o. Plot No. 63, Christian Colony, Vanasthalipuram, RR District.
11 P. Sunitha, W/o. Narayan Reddy,

R/o. Kottapet Maruthinagar, L.B. Nagar, RR District.
12 Mandhula Suguna, W/o. M. Anjaiah,
R/o. Plot No. 384, Hasthinapuram, Saroornagar Rev. Mandal, RR.District.
13 Ravula Lakshmi, W/o. R. Venkatesh Goud,
R/o. Plot No. 68, Christian Colony, Karmanghat Village, RR District.
14 A. Ramesh, S/o. Late Subba Rao,
R/o. Kayapalem Vill, Prathipadu Mandal, Guntur District.
15 B. Kondal Reddy, S/o. Venkat Reddy,

R./o. Plot No. 512 SKD Nagar, Vanasthalipuram, Hyderabad.

16 M. Madhavi Latha, W/o. Srinivas Reddy,
R/o. Sheriguda Vill, Ibrahimpatnam Mandal, RR District.

17 K. Vijaya Laxmi, W/o. K. Uppal Reddy,
R/o. Plot No. 404, KJR Complex, II Sikh Village, Secunderabad.

18 M.Kamalamma, W/o. M. Janardhan @ Jinnaiah,
R/o. Talasingaram Vill, Lingojiguda Post, Choutappa,
Nalgonda District.

19 A. Sathaiah, S/o. Buchaiah,
R/o. Plot No. 68, Christian Colony, Hasthinapuram, Sagar Road, Hyderabad.

..... PETITIONER(S)

AND

1 The State of A.P., rep. by its Spl. Chief Secretary, the Revenue Department, Secretariat, Hyderabad.
2 The District Collector, R.R.District, Khairatabad, Hyderabad.
3 The District Registrar, Stamps and Registration, RR District.
4 The Sub Registrar, Champapet, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ or order or direction more particularly one in the nature of writ of Mandamus declaring that the action of the respondent No.4 in not registering and releasing the petitioners sale deeds as bad, arbitrary, illegal, discriminatory violative of principles of natural justice and contrary to G.O.Ms.No.807 Revenue (Regn I) Dept., dt. 13.10.2004 and consequently direct the respondent No.4 to release the sale deeds of the petitioners after due registration of their plots.

Counsel for the Petitioner:MR.P.VENKATESWAR RAO

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

This writ petition is filed questioning the action of the 4th respondent-Sub-Registrar, Champapet, Rangareddy District, in not registering and releasing the sale deeds of the petitioners as per G.O.Ms.No.807, Revenue (Registration-I) Department, dated 13-10-2004, as illegal, arbitrary, discriminatory, violative of principles of natural justice and contrary to G.O.Ms.No.807, dated 13-10-2004 and consequently, to direct the 4th respondent to release the sale deeds of the petitioners after due registration of their respective plots.

The petitioners contend that they purchased certain residential plots in S.Nos.57 to 60, situated at Karmanghat village, Saroornagar Mandal, Rangareddy District. They paid the requisite registration free and submitted their sale deeds to the 4th respondent for registration. But, the 4th respondent refused to register the sale deeds on the ground that the State Government had issued G.O.Ms.No.751 dated 12-12-2001, wherein, it was declared that registration of documents of immovable property in the said survey numbers was opposed to public policy. All the Sub-Registrars were directed not to register any sale deeds pertaining to the said survey numbers and to pass refusal orders. Subsequently, Government issued G.O.Ms.No.807, dated
13-10-2004 under sub-section 1 of Section 22-A of the Registration Act, 1908, denotifying the earlier notification issued in G.O.Ms.No.751, dated 12-12-2001 in respect of the lands situated in the said survey numbers.

It is the case of the petitioners that in the light of G.O.Ms.No.807, dated 13-10-2004, the objections raised by the 4th respondent on the basis of G.O.Ms.No.751, dated 12-12-2001, does not exist. The petitioners placed reliance on the judgment of this Court in WP.No.11805 of 2005 dated 07-06-2005, wherein, this Court directed the

respondents to release the documents presented by the petitioners for registration without raising any objection on the basis of the said G.O.Ms.No.751, dated 12-12-2001. However, this Court made it clear that the order passed in WP.No.11805 of 2005 dated 07-06-2005 did not disable the registering authority to withhold the registration of documents, if there were some other objections for the registration of the documents, other than on the basis of G.O.Ms.No.751, dated 12.12.2001 and if there be other objections, the registering authority was directed to communicate such objections to the petitioners.

Accordingly, this writ petition is also disposed of in terms of the order passed in WP.No.11805 of 2005, dated 07-06-2005 with the following directions:

The fourth respondent shall release the documents presented by the petitioners for registration without raising any objections on the basis of G.O.Ms.No.751, dated 12-12-2001. The registering authority, however, is not disabled from withholding registration if there are some other objections to the registration of the documents other than on the basis of G.O.Ms.No.751, dated 12-12-2001. If there be other objections, the registering authority shall communicate such objections to the petitioners.

The writ petition is disposed of accordingly.

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(RAMESH RANGANATHAN, J)

24th JUNE, 2005.

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To

1 The Special Chief Secretary, State of A.P., Revenue Department, Secretariat, Hyderabad.
2 The District Collector, R.R.District, Khairatabad, Hyderabad.
3 The District Registrar, Stamps and Registration, RR District.
4 The Sub Registrar, Champapet, Hyderabad.

5 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings, Hyderabad (OUT).

6 Two CD copies.